

REMARKS

Claims 1, 3, and 8 are pending in the application.

Office Action Summary

In the Office Action Summary, the Examiner indicates that the Action is “Responsive to communication(s) filed on 22 June 2006. Applicants believe that the Examiner has intended to indicate that the Action is responsive to the communication (Amendment in Response to Non-Final Office Action) dated January 5, 2009. June 22, 2006 is the filing date of the present application.

Claim Rejections - 35 U.S.C. § 103

Claim 1 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hara (JP 2004-162936) in view of Ohata (USP 4,426,923). This rejection is respectfully traversed.

Although the Examiner has indicated that only claim 1 has been rejected under this Section, Applicants assume that the Examiner has intended to reject claim 1, 3, and 8 from the context of Examiner’s comments in the Office Action.

Claim 1 has been amended to claim:

a side jet hole provided in a lower part of each side wall of the heating chamber,
the side jet hole jetting out steam in a lateral direction of the heating chamber;

....

the side jet hole is located below the supporting means, such that the steam from
the side jet hole flows inside a space defined immediately below the supporting means in
a lateral direction.

This feature is shown, for example, in Fig. 5 of the present application, in which a side jet hole 46 is provided in a lower part of each side wall of the heating chamber, the side jet hole 46 ejecting out steam in a lateral direction of the heating chamber, and the side jet hole 46 is located below the supporting member 22, such that the steam from the side jet hole 46 flows inside a space defined immediately below the supporting means 22 in a lateral direction.

In the Office Action, the Examiner acknowledges that Hara does not teach that there is a lower jet hole on each side wall of the heating chamber. Therefore, the Examiner relies on the Ohata reference and alleges that it discloses a jet holes in Fig. 2. More specifically, in page 5 of the Office Action, the Examiner indicates that a passages below a ventilating net 8 correspond to the "side jet holes" of the present application.

Applicants submit, however, that even assuming that the Examiner's interpretation of the Ohata reference is reasonable, which Applicants do not admit, steam passing through the lower jet holes is jetted toward the bottom of the rack 13 (corresponds to the "supporting means" of the present invention) in a vertical direction (i.e., in an upward direction) through a plurality of holes in the ventilating net 8, and thus the steam from the lower jet holes does not flow "inside a space defined immediately below the supporting means in a lateral direction," as recited in claim 1.

Therefore, even assuming that Hara and Ohata can be combined, which Applicants do not admit, one skilled in the art would, at best, modify Hara by providing a space below a turntable 60, such that steam would flow in a vertical (i.e., upward) direction toward the bottom of the turntable 60 as shown in Fig. 2 of Ohata, and would not conceive providing the lower jet holes such that the stem "flows inside a space defined immediately below the supporting means in a

lateral direction,” as recited in claim 1. Accordingly, Hara and Ohata, taken singly or in combination fail to disclose or suggest the “side jet hole,” as recited in claim 1.

Further, the “fan” limitation has been amended so that it no longer claims intended use.

Claims 3 and 8, dependent on claim 1, are allowable at least for their dependency on claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

Conclusion

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and allowance of the pending claims in the present application are respectfully requested.


The Examiner is respectfully requested to enter this Amendment After Final in that it raises no new issues. Alternatively, the Examiner is respectfully requested to enter this Amendment After Final in that it places the application in better form for Appeal.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Maki Hatsumi, Reg. No. 40,417, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: July 7, 2009

Respectfully submitted,

By 
for Michael R. Cammarata (REG. # 40,417)
Registration No.: 39,491
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant